



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

April 21, 2006


DR. MATTHIAS SCHOLL  
SCHOLL PATENT AGENCY  
14781 MEMORIAL DRIVE  
SUITE 1319  
HOUSTON, TX 77079  
US

Dear Sir/Madam,

Your refund request for 10536830 in the amount of \$490.00 has been denied.

The declaration/oath was filed after the original filing of the application and there was a multiple claim present at filing:

Sincerely,

  
RITA WHITE  
PCT - National  
703 308-9140 x231

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE <sup>7885</sup> DEC 14 Fri 5:51

In re Application of:  
Johannes-Theodor MENKE et al.  
US National Stage Serial No.:  
10/ 536,830  
Conf. No: 6635  
371(c) Date: 06/13/05  
(incorrect, to be corrected)  
For: MOTOR VEHICLE DOOR

Atty Docket No. KKRT-00101-NUS  
Art Unit: 3676  
Examiner: Not yet assigned  
Paper Type: Request for Refund  
Date transmitted: 12/14/05

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (571) 273-8300) on the date indicated below:

December 14, 2005  
Date of Signature and  
of Facsimile Transmission

/Matthias Scholl/  
Dr. Matthias Scholl

Mail Stop 16 and  
Mail Stop 17  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMITTED BY FAX ONLY TO: +1 571-273-6500 and +1 571-273-8300

**REQUEST FOR REFUND UNDER 37 CFR 1.26**

DEAR SIR:

Petitioner hereby requests a refund in the amount of \$490.00 charged by the Office to the Deposit Account No. 503182 as follows:

DATE	SEQ	FEE CODE	AMOUNT
11/17	14	1616	\$360.00
11/17	15	1617	\$130.00.

The multiple dependent claims fee in the amount of \$360.00 should be refunded because a preliminary amendment originally transmitted on 9/15/05 (and retransmitted 12/14/05) removed

multiple claim dependencies. The amendment should have reached the Office before fees were charged.

The surcharge fee for filing an oath after 30 months from priority date should be refunded because the oath was originally filed on 5/28/05, i.e., together with the initial request for examination under 35 USC 371. Although the oath was entered into IFW, it was apparently misidentified as not an oath (See PAIR under the entry "05/28/2005 -- Documents submitted with 371 Applications"). A second oath/power of attorney was transmitted on 6/13/05. However, the first oath submitted should have been recognized and accepted.

Accordingly, Petitioner respectfully requests a refund in the full amount previously paid to **Deposit Account No. 503182**. A duplicate copy of this sheet is enclosed.

Scholl Patent Agency  
14781 Memorial Drive #1319  
Houston, TX 77079  
Tel (888) 259-9211  
Fax (888) 259-9223  
Customer Number: **33,794**

Respectfully Submitted,

/Matthias Scholl/

Dr. Matthias Scholl  
Reg. No. 54,947  
Agent for Applicant(s)

Date: December 14, 2005